

No. G-I-74-140.—In exercise of the powers conferred by section 5 of the Punjab Gram Panchayat Act, 1952 (Punjab Act No. 4 of 1953) and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following amendment in Haryana Government, Development and Panchayat Department, notification No. EP-K-18, dated the 5th June, 1971, namely :—

AMENDMENT

In the said notification, in the Schedule, for item 180, the following items shall be substituted, namely :—

Serial No.	Name(s) of village(s) constituting Sabha area	Tehsil	District	Name of Gram Panchayat	Number of Panches	Number of Panches belonging to Scheduled Castes.
1	2	3	4	5	6	7
"180	Sisla	Kaithal	Kurukshetra	Sisla	7	2
180-A	Sismor	Do	Do	Sismor	7	2"

VEENA KOHLI, Dy. Secy.

The 20th/21st March, 1974

No. 612-(2)-RDB-74/669.—With reference to Haryana Government notification No. 1257-RDB-71/375, dated the 25th November, 1971, the Governor Haryana is pleased to nominate Sarvshri Tikka Jagjit Singh and Dhanna Ram, Members, Haryana

Legislative Assembly, in place of Sarvshri Banarsi Das Gupta and Chanda Singh, M.L.As, as non-official members of the Rural Development Board for the State of Haryana.

M. SETH,

Commissioner & Secretary.

LABOUR DEPARTMENT

The 4th March, 1974

No. 1263-4Lab-74/6876.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Ameteeep Machine Tools, Faridabad:—

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 130 of 1970

Between

SHRI JOGINDER PARSHAD AND THE MANAGEMENT OF M/S AMETEEEP MACHINE TOOLS,
FARIDABAD

Present.—

Shri Roshan Lal Sharma, for the workman.

Shri B. S. Sapra, for the management.

AWARD

Shri Joginder Parshad concerned workman was in the service of M/s Ameteeep Machine Tools, Faridabad. His services were terminated by the management with effect from 16th April, 1969. Feeling agrieved he approached the management for reinstatement contending that there was no fault of his and his services had been terminated without any justification, but there was no response. Thereafter the matter was taken up for conciliation which also ended in failure.

The Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the dispute for adjudication to this court,—*vide* order No. ID/FD/32A/21746-50, dated 11th August, 1969, with the following term of reference:—

“Whether the termination of services of Shri Joginder Parshad was justified and in order? If not, to what relief is he entitled?”

Usual notices were given to the parties and they were called upon to put in their respective written statements. The management pleaded settlement of the dispute which was denied by the workman concerned. The following 2 issues arose for determination in the case:—

- (1) Whether there has been a compromise between the parties and now no dispute is left?
- (2) If issue No. 1 is not proved, whether the termination of services of Shri Joginder Parshad was justified and in order? If not, to what relief is he entitled?

Shri B. S. Sapra, Personnel Officer of the management has come into the witness-box and deposed that Shri Joginder Parshad had absented himself from duty without proper authorisation with effect from 24th January, 1969 and on 7th April, 1969. A letter was written to him to report for duty failing which his services were to stand terminated, copy Ex. M1, but no reply was received from him and his name was, therefore, struck off the rolls with effect from 15th April, 1969. He has further deposed that intimation to the above effect was sent to him under registered cover Ex. M. 2 which was received back for want of proper address. Intimation was also sent to his union, Ex. M. 3.

According to Shri B. S. Sapra later on letter, dated 14th November, 1970, copy, Ex. M. 4 was received from Shri Joginder Parshad which was addressed to this court that he had no dispute with the management. Mr. Sapra has further proved the resignation of this workman, dated 27th September, 1971, Ex. M. 5 which was duly accepted. According to him he had received an advance of Rs 50 which was not refunded but the management is not pressing for the recovery of this amount from him, rather it is prepared to pay to him a sum of Rs 18.05 on account of his wages for some days of January, 1969, which he can collect as the same cannot be sent to him by Money Order for want of correct address.

The workman concerned has not produced any evidence in rebuttal in spite of getting several adjournments. He has not even come forward himself to make his own statement on oath denying the aforesaid plea of the management. No reasonable ground for further adjournment has been made.

I have heard the learned representatives of the parties and considered the facts on record. As already pointed out, the management has produced cogent and convincing evidence regarding the absence from duty of the workman without proper authorisation and his ultimate resignation which was duly accepted and his name was struck off the rolls. There is no reasonable rebuttal of this evidence.

From the statement of Shri B.S. Sapra, Personnel Officer of the management it is further clear that a sum of Rs 50 had been advanced to this workman but the management has not pressed for the refund of this amount, rather it has shown its willingness to pay him Rs 18.05 on account of his wages for some days of January, 1969. This shows the bona fides of the management.

For the reasons aforesaid, I have no reason to disbelieve the version of the management that the workman concerned has settled his dispute by tendering his resignation and in the circumstances, he is not entitled to reinstatement or payment of back wages except for the sum of Rs 18.05 as admitted by the management which he would be at liberty to collect on any working day as it suits its convenience. The award is made accordingly but without any order as to costs.

Dated 18th January, 1972.

O.P. SHARMA,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 208, dated 31st January, 1974

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

O.P. SHARMA
Presiding Officer,
Labour Court, Haryana,
Rohtak.